

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

APPLE INC., and NeXT SOFTWARE,  
INC., f/k/a NeXT COMPUTER, INC.

Plaintiffs,

v.

HIGH TECH COMPUTER CORP., aka  
HTC CORP., HTC (B.V.I.) CORP., HTC  
AMERICA, INC., and EXEDEA, INC.,

Defendants

Civil Action No.: 1:10-cv-166-GMS

**STIPULATION REGARDING DISMISSAL OF ENTIRE ACTION  
WITHOUT PREJUDICE**

IT IS HEREBY STIPULATED AND AGREED, by and between Plaintiffs Apple Inc. and NeXT SOFTWARE, INC., f/k/a NeXT COMPUTER, INC. (collectively, "Apple") and Defendants High Tech Computer Corp. aka HTC Corp., HTC (B.V.I.) Corp., HTC America, Inc. and Exedea, Inc. (collectively, "HTC"), pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), that each and every claim and counterclaim between Apple and HTC in the above captioned matter are hereby dismissed WITHOUT PREJUDICE, and that each party shall bear its own costs, expenses and attorneys' fees.

Dated: November 12, 2012.

/s/ Mary B. Matterer  
Richard K. Herrmann (I.D. #405)  
Mary B. Matterer (I.D. #2696)  
MORRIS JAMES LLP  
500 Delaware Avenue, Suite 1500  
Wilmington, DE 19801  
(302) 888-6800  
*Attorneys for Plaintiffs Apple Inc. and NeXT  
SOFTWARE, INC., f/k/a NeXT COMPUTER,  
INC.*

/s/ John W. Shaw  
John W. Shaw (#3362)  
Karen E. Keller (#4489)  
SHAW KELLER LLP  
800 Delaware Avenue, 3rd Floor  
Wilmington, DE 19801  
Telephone: (302) 476-2050  
*Attorneys for Defendants High Tech Computer  
Corp. aka HTC Corp., HTC (B.V.I.) Corp.,  
HTC America, Inc. and Exedea, Inc.*